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**U.S. DEPARTMENT OF COMMERCE**  
**PATENT AND TRADEMARK OFFICE**

**NOTICE OF APPEAL  
TRANSMITTAL LETTER AND  
REQUEST FOR EXTENSION OF  
TIME PURSUANT TO 37 C.F.R.  
1.136 (a)**

Docket Number:  
**1662/611055**

10/693,160 Application Number <del>10/693,160</del>	Filing Date October 23, 2003	Examiner Karl J. Puttlitz	Art Unit 1621
Invention Title <b>POLYMORPHIC FORMS OF NATEGLINIDE</b>		Inventors <b>YAHALOMI et al.</b>	

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Mail Stop: AF, Commissioner for Patents, P.O. box 1450, Alexandria, VA 22313-1450  
on  
Date: January 28, 2008

Signature: Teri J. Brown

02/01/2008 SDENBOB3 00000022 110600 10693166

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Sir:

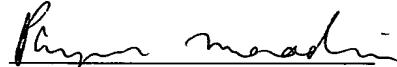
1. Transmitted herewith for filing is the following:
  - A Notice of Appeal in response to the Office Action mailed July 27, 2007, for the above-identified application;
  - Statement of Substance of Examiner Interview.
2. Applicants hereby request a **three-month extension of time** to respond to the Office Action of July 27, 2007, which set a three-month period for response. The extended period for response expires on January 27, 2008, a Sunday. This response is considered timely filed on Monday, January 28, 2008. Please charge the **\$1,050.00** extension fee and any additional fees to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.
3. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**:

- A. Any additional filing fees required under 37 C.F.R. § 1.16;
- B. Any additional patent application processing fees under 37 C.F.R. § 1.17;
- C. Any additional patent issue fees under 37 C.F.R. § 1.18;
- D. Any additional document supply fees under 37 C.F.R. § 1.19;
- E. Any additional post-patent processing fees under 37 C.F.R. § 1.20; or
- F. Any additional miscellaneous fees under 37 C.F.R. § 1.21.

- 4. A copy of this letter is enclosed.

Respectfully submitted,

Date: January 28, 2008

  
Payam Moradian  
Reg. No. 52,048

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One Broadway  
New York, New York 10004  
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CUSTOMER NUMBER 26646

FEB 01 2008

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:	YAHALOMI et al.	Art Unit : 1621
Application No.:	10/693,166	Examiner : Karl J. Puttlitz
Filed:	October 23, 2003	
For:	<b>POLYMORPHIC FORMS OF NATEGLINIDE</b>	

Mail Stop: AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

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 on  
 Date: January 28, 2008

Signature: Payam Moradian**STATEMENT OF SUBSTANCE OF EXAMINER INTERVIEW**

Sir:

As required by MPEP 713.04, this paper describes the substance of a telephone interview between Examiner Karl J. Puttlitz and Payam Moradian (Reg. No.: 52,048), agent for Applicants, on September 27, 2007, for the above-identified application. The Applicant thanks the Examiner Puttlitz for the interview. The statutory double patenting rejection was discussed. Prior art was not discussed. An agreement was not reached.

Respectfully submitted,

KENYON &amp; KENYON LLP

By: Payam Moradian  
 Payam Moradian  
 Reg. No. 52,048

Dated: January 28, 2008

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